

**Office Action Summary**

Application No.

09/468,143

Applicant(s)

NOMURA ET AL.

Examiner

Jamal A Fox

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 1999.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/468,143.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/468,143	12/21/1999	YUJI NOMURA	FUSA-16.844	3277

26304 7590 04/10/2003

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EXAMINER

FOX, JAMAL A

ART UNIT	PAPER NUMBER
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DATE MAILED: 04/10/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidehiro et al. Referring to claim 1, Hidehiro et al. discloses a network-device control system for performing priority control of a network device constituting a network based upon priority of a user, said system comprising (page 5-6 paragraph [0003]): an event notification device (page 8 lines 6-15) for detecting that a user has logged in to a communication terminal or that a user has launched a predetermined application from a communication terminal, and reporting an identifier (provided by the RSVP Protocol) of the user and the fact that an event has occurred (page 6 paragraph [0004]). Hidehiro et al. does not teach of a network-device controller for performing priority control of a network device based upon information reported by said event notification device; wherein said network-device controller acquires priority of the user indicated by the user identifier reported by said event notification device, obtains a network device on a communication path between said communication terminal and an apparatus that is the destination of communication, generates information necessary to perform priority

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control in accordance with the user priority, and sets this priority control information in each network device. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included a network-device controller for performing priority control of a network device based upon information reported by said event notification device; wherein said network-device controller acquires priority of the user indicated by the user identifier reported by said event notification device, obtains a network device on a communication path between said communication terminal and an apparatus that is the destination of communication, generates information necessary to perform priority control in accordance with the user priority, and sets this priority control information in each network device because the RSVP daemon communicates with two local decision modules, *admission control* and *policy control*. Admission control determines whether the node has sufficient available resources to supply the requested QoS. Policy control determines whether the user has administrative permission to make the reservation.

Referring to claim 2, Hidehiro et al. discloses the system according to claim 1, however, he does not teach of further comprising a database unit for storing, in association with a user identifier, user information that includes the address of the apparatus that is the destination of communication and the user priority; wherein said event notification device acquires the priority of the user and the address of the apparatus that is the destination of communication from said database unit and reports these to said network-device controller. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included a database

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unit for storing, in association with a user identifier, user information that includes the address of the apparatus that is the destination of communication and the user priority; wherein said event notification device acquires the priority of the user and the address of the apparatus that is the destination of communication from said database unit and reports these to said network-device controller because a main memory 21, network controllers 23, connection management tables and permissions lists (see paragraph [0016]) are provided for storing user information and priority.

Referring to claim 3, Hidehiro et al. discloses the system according to claim 2, however, he does not teach when a user has logged in by inputting the user identifier, the communication terminal sends this user identifier and the address of the communication terminal to said database unit; said database unit stores the address of the communication terminal in association with the user identifier; and said event notification device detects log-in by a change in user information in said database unit, acquires the priority of the user, the address of the apparatus that is the destination of communication and the address of the communication terminal from said database unit, and reports these to said network-device controller. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include when a user has logged in by inputting the user identifier, the communication terminal sends this user identifier and the address of the communication terminal to said database unit; said database unit stores the address of the communication terminal in association with the user identifier; and said event notification device detects log-in by a change in user information in said database unit, acquires the priority of the user, the address of the

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apparatus that is the destination of communication and the address of the communication terminal from said database unit, and reports these to said network-device controller because transmitter and destination information is provided in (fig. 3 [paragraph 0018]). This information is stored in the memory of each device, therefore creating a database.

Referring to claim 4, Hidehiro et al. discloses the system according to claim 2, however, he does not teach of when a user has launched a predetermined application, the communication terminal sends the user identifier, the address of the communication terminal and an application identifier of the application to said database unit; said database unit stores the address of the communication terminal, the application identifier and the address of an apparatus that is the destination of communication of the application in association with the user identifier; and said event notification device detects an application-launch event by a change in application information in said database unit, acquires the priority of the user, the address of the apparatus that is the destination of communication and the address of the communication terminal from said database unit, and reports these to said network-device controller. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include when a user has launched a predetermined application, the communication terminal sends the user identifier, the address of the communication terminal and an application identifier of the application to said database unit; said database unit stores the address of the communication terminal, the application identifier and the address of an apparatus that is the destination of communication of the application in association

with the user identifier; and said event notification device detects an application-launch event by a change in application information in said database unit, acquires the priority of the user, the address of the apparatus that is the destination of communication and the address of the communication terminal from said database unit, and reports these to said network-device controller because the communication terminal, user identifier, and communication data generated by terminal applications are provided in (fig. 3 [paragraph 0018]). This information is transmitted to and stored in the memory of each device.

Referring to claim 5, Hidehiro et al. discloses the system according to claim 1, wherein said event notification device includes: an event detector for detecting that a user has logged in to a communication terminal or that a user has launched an application [0018] from a communication terminal; however, he does not teach of an event notifier for notifying said network-device controller of the fact that the event occurred and of the user identifier; and said network-device controller includes: an event receiver for receiving notification from said event notifier; a priority acquisition unit for acquiring the priority of the user indicated by the received user identifier; a device selector for selecting a network device which is subjected to priority control based upon the priority of the user; a device-specific information acquisition unit for acquiring state of configuration of the selected network device and a method of configuring the device; a configuration information generator for generating priority-control configuration information for performing priority control of each network device based upon the acquired device-specific information and user priority; and configuration information

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transmitter for transmitting the priority-control configuration information, which has been generated by said configuration information generator, to the selected network device to thereby set this information in this network device. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included however he does not teach of an event notifier for notifying said network-device controller of the fact that the event occurred and of the user identifier; and said network-device controller includes: an event receiver for receiving notification from said event notifier; a priority acquisition unit for acquiring the priority of the user indicated by the received user identifier; a device selector for selecting a network device which is subjected to priority control based upon the priority of the user; a device-specific information acquisition unit for acquiring state of configuration of the selected network device and a method of configuring the device; a configuration information generator for generating priority-control configuration information for performing priority control of each network device based upon the acquired device-specific information and user priority; and configuration information transmitter for transmitting the priority-control configuration information, which has been generated by said configuration information generator, to the selected network device to thereby set this information in this network device because it is so described that the connection management [0008] could keep track of events, device specific information, and priority control [0018].

Referring to claim 6, Hidehiro et al. discloses the system according to claim 2, but does not teach of a directory server being provided, said directory server being provided with said event notification device and said database unit. It would have been



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obvious to one having ordinary skill in the art at the time the invention was made to have included a directory server being provided, said directory server being provided with said event notification device and said database unit because the registered contents of a management table which is registered by a network manager is provided to provide directory and event notification to the terminals.

Referring to claim 7, Hidehiro et al. discloses a network-device control apparatus [0009], however, Hidehiro et al. does not teach of performing priority control of a network device constituting a network based upon priority of an user, said apparatus comprising: an event receiver for receiving an identifier of a user from an event notifier when the user has logged into a communication terminal or when the user has launched an application; means for acquiring priority of the user, which is indicated by the reported user identifier, and the address of an apparatus that is the destination of communication by said communication terminal; a device selector for selecting network devices on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating information necessary to perform priority control in accordance with the user priority; and means for configuring the network device with the information that has been generated by said generating unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included performing priority control of a network device constituting a network based upon priority of an user, said apparatus comprising: an event receiver for receiving an identifier of a user from an event notifier when the user has logged into a communication terminal or when the user has launched an

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application; means for acquiring priority of the user, which is indicated by the reported user identifier, and the address of an apparatus that is the destination of communication by said communication terminal; a device selector for selecting network devices on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating information necessary to perform priority control in accordance with the user priority; and means for configuring the network device with the information that has been generated by said generating unit because user information, source and destination addresses, as well as event notification is described in [0018].

Referring to claim 8, Hidehiro et al. discloses a network-device control system [0009], however, Hidehiro et al. does not teach of performing priority control of a network device constituting a network based upon priority of an application, said system comprising: an event notification device for detecting that a user has launched a predetermined application from a communication terminal, and reporting an identifier of the application and the fact that an application-launch event has occurred; and a network-device controller for performing priority control of a network device based upon information reported by said event notification device; wherein said network-device controller acquires priority of the application indicated by the application identifier reported by said event notification device, obtains network devices on a communication path between said communication terminal and an apparatus that is the destination of communication, generates information necessary to control the network devices in accordance with the application priority, and configures each network device with this

priority control information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included performing priority control of a network device constituting a network based upon priority of an application, said system comprising: an event notification device for detecting that a user has launched a predetermined application from a communication terminal, and reporting an identifier of the application and the fact that an application-launch event has occurred; and a network-device controller for performing priority control of a network device based upon information reported by said event notification device; wherein said network-device controller acquires priority of the application indicated by the application identifier reported by said event notification device, obtains network devices on a communication path between said communication terminal and an apparatus that is the destination of communication, generates information necessary to control the network devices in accordance with the application priority, and configures each network device with this priority control information because user information, source and destination addresses, as well as event notification is described in [0018] and management information that is registered in all network devices is described in [0004].

Referring to claim 9, Hidehiro et al. discloses the system according to claim 8, but does not teach of comprising a database unit for storing user information in association with a user identifier, and application information, which includes the application priority, in association with an application identifier; wherein said event notification device acquires the priority of the application from said database unit and reports this application priority to said network-device controller. It would have been

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obvious to one having ordinary skill in the art at the time the invention was made to have included comprising a database unit for storing user information in association with a user identifier, and application information, which includes the application priority, in association with an application identifier; wherein said event notification device acquires the priority of the application from said database unit and reports this application priority to said network-device controller because a main memory 21, network controllers 23, connection management tables and permissions lists (see paragraph [0016]) are provided for storing user information and priority.

Referring to claim 10, Hidehiro et al. discloses the system according to claim 9, however, Hidehiro et al. does not teach when the user has launched a predetermined application, the communication terminal sends the application identifier and the address of the apparatus that is the destination of communication to said database unit and said database unit stores the application identifier and the address of the apparatus, which is the destination of communication, in association with the user identifier; and said event notification device detects occurrence of an application-launch event by a change in the application information in the user information in said database unit, acquires the priority of the application, the address of the apparatus that is the destination of communication and the address of the communication terminal from said database unit, and reports these to said network-device controller. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included when the user has launched a predetermined application, the communication terminal sends the application identifier and the address of the apparatus that is the destination of

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communication to said database unit and said database unit stores the application identifier and the address of the apparatus, which is the destination of communication, in association with the user identifier; and said event notification device detects occurrence of an application-launch event by a change in the application information in the user information in said database unit, acquires the priority of the application, the address of the apparatus that is the destination of communication and the address of the communication terminal from said database unit, and reports these to said network-device controller because the communication terminal, user identifier, and communication data generated by terminal applications are provided in (fig. 3 [paragraph 0018]). This information is transmitted to and stored in the memory of each device.

Referring to claim 11, Hidehiro et al. discloses the system according to claim 8, wherein said event notification device includes: an event detector for detecting that a communication terminal has given rise to an application launch event [0018]; however, Hidehiro et al. does not teach of an event notifier for notifying said network-device controller of the fact that the event occurred and of the application identifier; and said network-device controller includes: an event receiver for receiving notification from said event notifier; a priority acquisition unit for acquiring the priority of the application indicated by the received application identifier; a device selector for selecting a network device which is subjected to priority control based upon the priority of the application; a device-specific information acquisition unit for acquiring state of configuration of the selected network device and a method of configuring the device; a configuration

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information generator for generating priority-control configuration information for performing priority control of each network device based upon the acquired device-specific information and application priority; and configuration information transmitter for transmitting the priority-control configuration information, which has been generated by said configuration information generator, to the selected network device to thereby set this information in this network device. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included an event notifier for notifying said network-device controller of the fact that the event occurred and of the application identifier; and said network-device controller includes: an event receiver for receiving notification from said event notifier; a priority acquisition unit for acquiring the priority of the application indicated by the received application identifier; a device selector for selecting a network device which is subjected to priority control based upon the priority of the application; a device-specific information acquisition unit for acquiring state of configuration of the selected network device and a method of configuring the device; a configuration information generator for generating priority-control configuration information for performing priority control of each network device based upon the acquired device-specific information and application priority; and configuration information transmitter for transmitting the priority-control configuration information, which has been generated by said configuration information generator, to the selected network device to thereby set this information in this network device because it is so described that the connection management [0008] could keep track of events, device specific information, and priority control [0018].

Referring to claim 12, Hidehiro et al. discloses the system according to claim 9, however, Hidehiro et al. does not teach of a directory server being provided, and the directory server being provided with an event notification device and database unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included a directory server being provided, and the directory server being provided with an event notification device and database unit because the registered contents of a management table which is registered by a network manager is provided to provide directory and event notification to the terminals.

Referring to claim 13, Hidehiro et al. discloses a network-device control apparatus [0009], however, Hidehiro et al. does not teach of performing priority control of a network device constituting a network based upon priority of an application, said apparatus comprising: an event receiver for receiving an identifier of an application from an event notification device when a user has launched an application at a communication terminal; means for acquiring priority of the application, which is indicated by the notified application identifier, and the address of an apparatus that is the destination of communication by said communication terminal based upon the application; a device selector for selecting network devices on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating information necessary to perform priority control in accordance with the application priority; and means for configuring the network device with the information that has been generated by said generating unit. It would have been obvious to one having ordinary skill in the art at the time the invention

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was made to have included performing priority control of a network device constituting a network based upon priority of an application, said apparatus comprising: an event receiver for receiving an identifier of an application from an event notification device when a user has launched an application at a communication terminal; means for acquiring priority of the application, which is indicated by the notified application identifier, and the address of an apparatus that is the destination of communication by said communication terminal based upon the application; a device selector for selecting network devices on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating information necessary to perform priority control in accordance with the application priority; and means for configuring the network device with the information that has been generated by said generating unit because user information, source and destination addresses, as well as event notification is described in [0018].

Referring to claim 14, Hidehiro et al. discloses a network-device control system [0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said system comprising: an event notification device for detecting that a user has logged in to a communication terminal or that a user has launched a predetermined application from a communication terminal, and reporting an identifier of the user and the fact that an event has occurred; and a network-device controller for controlling any one of bandwidth, discard rate and delay of a network device based upon information reported by said event notification device; said network-device controller: acquiring any one of a



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bandwidth value, discard rate value and delay value conforming to a user identified by the user identifier reported by said event notification device; obtaining network devices on a communication path between said communication terminal and an apparatus that is the destination of communication; generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with the value acquired; and configuring each network device with this generated configuration information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said system comprising: an event notification device for detecting that a user has logged in to a communication terminal or that a user has launched a predetermined application from a communication terminal, and reporting an identifier of the user and the fact that an event has occurred; and a network-device controller for controlling any one of bandwidth, discard rate and delay of a network device based upon information reported by said event notification device; said network-device controller: acquiring any one of a bandwidth value, discard rate value and delay value conforming to a user identified by the user identifier reported by said event notification device; obtaining network devices on a communication path between said communication terminal and an apparatus that is the destination of communication; generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with the value acquired; and configuring each network device with this generated configuration information because a discard process is described in [0028], [0033], [0034], and [0035]. This along with the

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fact that event notification based on terminal applications being described in [0018] and all users can individually specify communication bandwidth and other parameters for their own connections [0006] make it obvious.

Referring to claim 15, Hidehiro et al. discloses a network-device control apparatus [0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said apparatus comprising: an event receiver for receiving at least an identifier of a user from an event notification device when the user has logged in to a communication terminal or when the user has launched an application; means for acquiring any one of a bandwidth value, discard-rate value and delay value conforming to a user identified by the notified user identifier, and the address of an apparatus that is the destination of communication by said communication terminal; a device selector for selecting a network device on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with said value acquired; and means for configuring the network device with the configuration information that has been generated by said generating unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said apparatus comprising: an event receiver for receiving at least an identifier of a user from an event notification device when the user has logged in to a communication terminal or when the user has a

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launched an application; means for acquiring any one of a bandwidth value, discard-rate value and delay value conforming to a user identified by the notified user identifier, and the address of an apparatus that is the destination of communication by said communication terminal; a device selector for selecting a network device on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with said value acquired; and means for configuring the network device with the configuration information that has been generated by said generating unit because a discard process is described in [0028], [0033], [0034], and [0035]. This along with the fact that event notification based on terminal applications being described in [0018] and all users can individually specify communication bandwidth and other parameters for their own connections [0006] make it obvious.

Referring to claim 16, Hidehiro et al. discloses a network-device control system [0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said system comprising: an event notification device for detecting that a user has launched a predetermined application at a communication terminal, and reporting an identifier of the application and the fact that an application-launch event has occurred; and a network-device controller for controlling any one of bandwidth, discard rate and delay of a network device based upon information reported by said event notification device; said network-device controller: acquiring any one of a bandwidth value, discard rate

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value and delay value of an application identified by the application identifier reported by said event notification device; obtaining network devices on a communication path between said communication terminal and an apparatus that is the destination of communication; generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with the value acquired; and configuring each network device with this generated configuration information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said system comprising: an event notification device for detecting that a user has launched a predetermined application at a communication terminal, and reporting an identifier of the application and the fact that an application-launch event has occurred; and a network-device controller for controlling any one of bandwidth, discard rate and delay of a network device based upon information reported by said event notification device; said network-device controller: acquiring any one of a bandwidth value, discard rate value and delay value of an application identified by the application identifier reported by said event notification device; obtaining network devices on a communication path between said communication terminal and an apparatus that is the destination of communication; generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with the value acquired; and configuring each network device with this generated configuration information because a discard process is described in [0028], [0033], [0034], and [0035]. This along with the fact that event

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notification based on terminal applications being described in [0018] and all users can individually specify communication bandwidth and other parameters for their own connections [0006] make it obvious.

Referring to claim 17, Hidehiro et al. discloses a network-device control apparatus [0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said apparatus comprising: an event receiver for receiving an identifier of an application from an event identification device when a user has launched an application at a communication terminal; means for acquiring any one of a bandwidth value, discard-rate value and delay value conforming to an application identified by the reported application identifier, and the address of an apparatus that is the destination of communication by said communication terminal based upon the application; a device selector for selecting a network device on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with the value acquired; and means for configuring the network device with the configuration information that has been generated by said generating unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said apparatus comprising: an event receiver for receiving an identifier of an application from an event identification device when a user has launched an application at a

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communication terminal; means for acquiring any one of a bandwidth value, discard-rate value and delay value conforming to an application identified by the reported application identifier, and the address of an apparatus that is the destination of communication by said communication terminal based upon the application; a device selector for selecting a network device on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with the value acquired; and means for configuring the network device with the configuration information that has been generated by said generating unit because a discard process is described in [0028], [0033], [0034], and [0035]. This along with the fact that event notification based on terminal applications being described in [0018] and all users can individually specify communication bandwidth and other parameters for their own connections [0006] make it obvious.

***Conclusion***

**3. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (703) 305-5741. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Application/Control Number: 09/468,143

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J.A.F.  
Jamal A. Fox

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KWANG BIN YAO  
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Kwang Bin Yao', written in a cursive style.